

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

Case No. ~~17-CR-~~ 18-CR-20

v.

[16 U.S.C. §§ 3372(a)(1), 3373(d)(2)
and 18 U.S.C. § 2]

JEFFREY A. VAN REMORTEL,

Green Bay Division

Defendant.

INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

1. At times material to this information:

(a) Defendant JEFFREY A. VAN REMORTEL owned and operated Wisconsin Duck Hunts Guide Service (WDH), which was located in Minocqua, Wisconsin. Through WDH, VAN REMORTEL offered guided duck hunting trips on Lake Michigan. VAN REMORTEL advertised his guiding services on the internet. VAN REMORTEL represented on the WDH website that he offered waterfowl hunting for trophy divers, sea ducks and puddle ducks.

(b) The Lacey Act prohibits the import, export, transportation, sale, receipt, acquisition, or purchase of fish or wildlife that has been taken, possessed, transported, or sold in violation of federal law.

(c) The Lacey Act deems a sale or purchase of wildlife to include the offer or provision of guiding, outfitting, or other services for the illegal taking, acquiring, receiving, transporting, or possessing of fish, wildlife or plants for money or other consideration.

(d) The Migratory Bird Treaty Act (16 U.S.C. § 703) makes it unlawful for any person to hunt, take, kill, or possess any migratory bird except with a permit or as otherwise provided by regulation. Regulations are in place to allow the hunting of migratory game birds. 50 CFR 20.11 defines migratory game birds as those migratory birds included in the terms of conventions between the United States and any foreign country for the protection of migratory birds, for which open seasons are prescribed in this part of the regulations and belong to the following families: (1) Anatidae (ducks, geese [including brant], and swans; (2) Columbidae (doves and pigeons); (3) Gruidae (cranes); (4) Rallidae (rails, coots and gallinules); and (5) Scolopacidae (woodcock and snipe).

(e) All of the ducks taken by VAN REMORTEL belong to the family Anatidae and have prescribed seasons for their taking. These species of ducks include, but are not limited to, mallards, ring-necked, buffleheads, canvasbacks, gadwalls, wood ducks, redheads, scaups, pintails, black ducks, and goldeneyes.

(f) Part 50 of the Code of Federal Regulations for hunting migratory game birds, includes Section 20.43, which states that “No person shall transport within the United States any migratory game birds, except doves and band-tailed pigeons (*Columba fasciata*), unless the head or one fully feathered wing remains attached to each such bird at all times while being transported from the place where taken until they have arrived at the personal abode of the possessor or a migratory bird preservation facility.”

2. On or about November 26, 2012, in the Eastern District of Wisconsin and elsewhere,

JEFFREY A. VAN REMORTEL,

knowingly transported within the United States migratory game birds without a head or one fully feathered wing attached, more specifically: the defendant sold and guided a migratory waterfowl hunt on the shore of Lake Michigan, after which the defendant then breasted out the ducks

without the identifying head or wing attached when he provided the birds to the undercover agents for transportation to their office in New Franken, Wisconsin.

All in violation of 16 U.S.C. §§ 3372(a)(1), 3373(d)(2) and 18 U.S.C. § 2.

1/24/18
Date



GREGORY J. HAANSTAD
United States Attorney